

City of San Antonio Code:
Regulating the Care and Control of Animals

Leashing and Control.

All dogs must be confined to their owner's property at all times except when on a leash. Animal Care Officers have the legal authority to enter unenclosed front yards of private property to impound unrestrained animals.

Rabies Vaccination.

All dogs, cats and domestic ferrets must be vaccinated against rabies by sixteen (16) weeks of age by a licensed veterinarian. Booster vaccinations are required by State, County and City law one year following the initial rabies vaccination and then at one or three year intervals depending on the vaccine used. Other vaccinations are highly recommended and you should establish a relationship with a veterinarian for your pet.

Licensing.

All dogs, cats and domestic ferrets must be licensed by sixteen (16) weeks of age and annually thereafter with the City of San Antonio, Animal Care Services Division. Proof of current rabies vaccination must be demonstrated when the license, *in the form of a microchip*, is issued. Dogs should wear license tags on their collar at all times when outside.

- License fees are not required for government owned working dogs or dogs properly trained to guide or otherwise assist a physically handicapped person.
- No person may use any pet license for any dog other than the pet for which it was issued.

Animal Limits.

A maximum number of eight (8) cats or five (5) dogs or an aggregate number of eight (8) may be permitted at a residence within the City limits.) The total number of domestic fowl and livestock allowed at a residence is five (5) which may include: up to three (3) domestic fowl; and up to two (2) animals from the following classes of livestock-equines,bovines,sheep,goats and llamas.

Strays.

The City Code defines an owner of an animal as a person or the legal guardian of the person who feeds or harbors the subject animal for more than 72 hours without the presence of the subject animal being recorded in the records of the Animal Care Services Department as a stray animal.

Animal Bites.

All animal bites and scratches which have broken the skin must be reported to the Animal Care Services Division within 24 hours by calling 737-1600 OR 287-2778 anytime day or night. Biting animals are required by State, County and City law to be quarantined for rabies observation for 10 days from the date of the bite, regardless of the vaccination status of the animal.

Prohibited Species.

It is unlawful to keep wild animals and many other species within the City of San Antonio. Such animals include monkeys and other non-human primates, wolf hybrids, coyotes, foxes, exotic cats, bears, skunks, raccoons, miniature Vietnamese pot-bellied pigs, poisonous reptiles, crocodiles and related species.

Abandoned Animals.

It is unlawful to abandon an animal within the City Limits. An abandoned animal is any animal abandoned while in the person's custody without making reasonable arrangements for assumption of custody by another person.

City of San Antonio Code:
Regulating the Care and Control of Animals

Dangerous Animals.

Upon receipt of an affidavit of complaint signed by one or more individuals, made under oath before a notary public, the Animal Care Services staff will investigate the complaint of a dangerous animal. The owner has the right to provide an affidavit in defense of the animal. If the investigator determines that impoundment of the animal is a reasonable precaution until the matter is resolved, the Animal Care Veterinarian may order immediate seizure.

Upon a timely submitted written notice to the owner of the animal being investigated, a dangerous animal determination hearing will be scheduled by the department Director. A dangerous animal determination board will review the facts of the affidavits and subsequent investigation and hear evidence offered by the owner of the animal. A written determination will be given to the animal owner within five days. If the animal is declared dangerous, the owner has five days to appeal the board's decision to the Municipal Court for an administrative hearing.

A dangerous animal must be annually licensed as a dangerous animal by the Animal Care Services Department; wear a collar approved by the Animal Care Veterinary Services Manager at all times; be kept in a proper enclosure; have a file at the department with a certificate of public liability insurance for \$100,000 which will be kept continuously in effect; be muzzled and leashed when out of the enclosure; be identified with a microchip; and be spayed/neutered.

Vicious Animals.

Similar to a Dangerous animal investigation, upon receipt of an affidavit of complaint signed by one or more individuals, made under oath before a notary public, the Animal Care Services staff will investigate the complaint of a vicious animal. The owner has the right to provide an affidavit in defense of the animal. If the investigator determines that impoundment of the animal is a reasonable precaution until the matter is resolved, the Animal Care Veterinarian may order immediate seizure.

Upon a timely submitted written notice to the owner of the animal being investigated, a vicious animal determination hearing will be scheduled by the department Director. A vicious animal determination board will review the facts of the affidavits and subsequent investigation and hear evidence offered by the owner of the animal. A written determination will be given to the animal owner within five days. If the animal is declared vicious, the owner has five days to appeal the board's decision to the Municipal Court for an administrative hearing.

A vicious animal must be annually licensed as a vicious animal by the Animal Care Services Department; wear a collar approved by the department at all times which is visible at 50 feet; be kept in a proper enclosure; be muzzled and leashed when out of the enclosure; be identified with a microchip; and be spayed/neutered. The owner of the designated vicious animal shall also post a sign on his premises warning there is a vicious animal on the property.

Sale of animals.

No live animals shall be sold, traded, bartered, leased, rented, given away, or displayed for a commercial purpose on any roadside, public right-of-way, commercial parking lot or at any flea market or festival.

Sale of baby chicks, ducklings or other fowl and rabbits. It is illegal for any person to sell or offer for sale, barter, lease, rent or give away on the condition that some other item is purchased,

City of San Antonio Code:
Regulating the Care and Control of Animals

bartered, leased, or rented, any baby chicks, ducklings, other fowl less than three (3) weeks old, or rabbits less than eight (8) weeks old; except at facilities or hatcheries or in stores engaged in the business of selling the same to be raised for commercial purposes. It is also unlawful to color, dye, stain, or otherwise change the natural color of any baby chicks, ducklings, or other fowl or rabbits or to possess for the purpose of sale any baby chicks, ducklings, or other fowl or rabbits which have been so colored.

Animal Permits/Licenses.

Approved by City leaders in late 2007, the revised Chapter 5 Ordinance institutes a permitting and licensing process for variety of animal related concerns beyond general pet licensing. Effective March 1st, 2008, there will be new permits governing areas like animal related businesses as well as residential pet concerns like litter permits, excess animals, livestock and cat colonies. Permits related to intact or unsterilized animals will not go into affect until January 1st, 2009. Permit applications and instructions can be found on the ACS website. All fees are payable to the City of San Antonio.

Intact dog permit (Effective 1/1/09)

Any owner or keeper of a dog that is not spayed or neutered must obtain an intact dog permit, unless the dog qualifies for a certified medical exception from a licensed veterinarian or is less than six (6) months old. This does not apply to 1) A dog or cat owner who is a nonresident of this City and is keeping the subject pet in the City for fewer than sixty (60) days; or 2) Dog or cat owners who have been a resident of this City for fewer than thirty (30) days.

Litter permit.

Any person whose female dog or cat has a litter must obtain a litter permit prior to or within ten (10) business days of the litter's birth. The issuance of a permit authorizes the whelping of no more than one (1) litter per female dog or cat in any twelve (12) month period. If a person fails to obtain a permit after notice, then the Department shall be authorized to impound the female dog or cat and the animal litter. The litter permit number shall be prominently displayed in all advertisements, notices, or displays of the litter for sale or trade or offers to give away any members of the litter. No person may offer any puppy or kitten under the age of eight (8) weeks for sale, trade or other compensation or for free giveaway (except a puppy or kitten, or litter or litters taken to the Department, or any tax-exempt nonprofit organization founded for the purpose of providing humane sanctuary or shelter for abandoned or unwanted animals, or any recognized rescue organization which is currently registered with the Department). This permit does not apply to caretakers of feral cat colonies and rescuers affiliated with recognized rescue organizations registered with the Department.

Excess animal permit.

Excess animal permits can be purchased for dogs and/or cats, fowl and livestock. A maximum number of eight (8) cats or five (5) dogs, or an aggregate number of eight (8) is permitted at a residence within the City limits. In order to have more dogs and/or cats than allowed at a residence, an owner must apply for an excess animal permit which shall be valid for three (3) years.

The criteria used to evaluate the granting of an excess dog or cat permit are as follows: All dogs and cats for which a permit is required must be sterilized, unless the dog (s) or cat (s) qualifies for

City of San Antonio Code:
Regulating the Care and Control of Animals

a certified medical exception by a licensed veterinarian or is under six (6) months old. All dogs and cats must be currently vaccinated for rabies and currently licensed by the City. The dogs and/or cats must **not** be housed exclusively outside. All dogs and cats must be microchipped and a photograph of each animal must be attached to an animal profile sheet that will be kept on record as verification of the animals allowed in the permit. If the owner of the dogs and/or cats is not the owner of the property, the permission of the property owner must be obtained before a permit application will be processed. A check will be made to determine if there are any previous valid complaints which could be grounds for the denial of a permit request. The requestor must have adequate property or facilities to ensure the dogs and/or cats do not disturb any neighbors. Once a permit is granted, the permittee must obey all rules pertaining to pet ownership within the City and the State. Any valid violation, including exceeding the number of dogs and cats allowed on the original permit is grounds for revocation of the permit by the Department. If a permit is revoked, the permittee will have thirty (30) days to come into compliance with existing numbers limits.

The criteria used to evaluate the granting of an excess livestock permit are as follows: All livestock must be enclosed in a pen the nearest point being at least one hundred (100) feet from any dwelling or business building owned or occupied by any person other than the owner. All domestic fowl must be kept in an enclosure. An owner must have adequate facilities to house the livestock and domestic fowl and ensure adequate sanitation. The livestock and domestic fowl must also be kept housed or confined in a manner that does not allow them to create a nuisance. In addition, sanitation must be addressed in a manner that prevents the attraction of pests.

Any valid violation, including exceeding the number of animals allowed on the original permit is grounds for revocation of the permit by the Department. If a permit is revoked, the permittee will have thirty (30) days to come into compliance with existing numbers limits.

Livestock permits.

Residents keeping livestock in the City must apply in writing and obtain a permit from Animal Care Services. The permit is only valid for the location for which it was issued. A person who keeps livestock as defined in city ordinance shall pay a permit fee per year for each animal. It shall be unlawful to keep or maintain swine within the City other than for the purposes and at the following locations:

- exhibition at stock shows, fairs and circuses;
- at vocational schools with properly constructed facilities;
- slaughtering establishments;
- when offered for sale at union stockyards or adjacent auction barns;
- under limited approved and permitted conditions at the home of FFA or 4-H enrollees under the direct supervision of the county agricultural agent.

It shall be the duty of the Director of Health to have livestock found running at large in the City limits to be impounded at the public stockyards in the City.

Animal Exhibit Permit.

Any operator of a circus, rodeo, animal exhibit, or entertainment show, or other persons desiring to bring any non-aquatic mammal into the City to use in a circus, rodeo, animal exhibit or animal show other than a dog show or a cat show, shall first submit a written request to the Department

City of San Antonio Code:
Regulating the Care and Control of Animals

for a permit and pay a permit application fee to cover the cost of inspecting the facility where the animal(s) will be kept during the event, which may be for any number of consecutive days. The permit application shall be submitted at least twenty (20) days prior to the event, and shall contain information as to the kind and number of animals involved, the reason for bringing the animal(s) to the City, and the name and address of the person or business that will keep, feed, and confine the animal(s) during their stay in the City.

Animals used within the City for entertainment purposes such as rodeos and circuses must be provided with all the necessities of life including air, food, water, veterinary care, exercise, and protection from the sun and other elements of nature. A licensed veterinarian must be in attendance at all such functions. Once determined to be injured or ill by a licensed veterinarian, an animal may be returned to use only after certification as healthy by a licensed veterinarian.

A permit shall not be required for any animal so long as it is owned by a governmentally owned and operated facility, publicly operated facility, a public zoological park, or bona fide medical institution or research institution.

Pet shop license.

No person shall operate any pet shop within the City limits without first obtaining a license from Animal Care Services who shall take into consideration the type of building construction, the regulatory compliance history of the permittee as it relates to sanitation, health, welfare of the animals, birds or reptiles housed, and related zoning requirements. The Director shall utilize a standardized check-list for inspecting and evaluating the qualifications of applicants. Each pet shop license shall be valid for one (1) year and applications for an original or renewal pet shop license shall be submitted to the Department and shall be approved or denied by the Director. The Department shall investigate the applicant's qualifications for a license, and report its findings to the Director. A conviction for the violation of any provision of Chapter 5 may constitute cause for denial or revocation of a license. Failure to intentionally, knowingly, or recklessly apply for a license prior to the opening of such a commercial animal facility, or within thirty (30) days after the renewal date, shall constitute a misdemeanor offense.

Grooming shop license.

Much like a pet shop license, no person shall operate any grooming shop without first obtaining a license from the Director who shall take into consideration the type of building construction, the regulatory compliance history of the permittee as it relates to sanitation, health, welfare of the animals, and related zoning requirements. The Director shall utilize a standardized check-list for inspecting and evaluating the qualifications of applicants. Each grooming shop license shall be valid for one (1) year. Applications for an original or renewal grooming shop license shall be submitted to the Department and shall be approved or denied by the Director. The Department shall investigate the applicant's qualifications for a license, and report its findings to the Director. A conviction for the violation of any provision of Chapter 5 may constitute cause for denial or revocation. Failure to intentionally, knowingly, or recklessly apply for a license prior to the opening of such a commercial animal facility, or within thirty (30) days after the renewal date, shall constitute a misdemeanor offense. City ordinance allows a permit holder has the right to request that any dog or cat accepted for grooming be vaccinated against common diseases, and require proof of such vaccinations be furnished to the shop operator.

San Antonio Code:
Regulating the Care and Control of Animals

Commercial dog kennels and catteries license.

No person shall operate a commercial kennel/cattery without first obtaining a license from Animal Care Services. Such license shall be issued after inspection and approval of the facilities, taking into consideration the type of construction as it relates to sanitation, the health and welfare of the dogs and cats, and related zoning regulations. Failure to apply for a license prior to the opening of a commercial kennel/cattery, or within thirty (30) days after the renewal date is a City of misdemeanor offense. The Director of Animal Care or his designee, after an administrative hearing, shall make a determination of whether the commercial kennel/cattery conditions and the applicant's animal care practices meet the standards defined by law, whether the facilities are adequate, and whether the applicant is otherwise willing and capable of complying with City ordinances. Any unlicensed commercial kennel/cattery is hereby declared a public nuisance, and any animals above the legal limit allowed the resident may be impounded. This license does not apply to non-profit organizations established for the protecting and caring for stray and unwanted animals.

Cat colony permit/ registration.

The City of San Antonio now legally recognizes the practice of Trap Neuter Return as a progressive, humane approach to handling cat overpopulation issues. In a TNR program, outdoor cats identified in a group or "colony" are humanely trapped, sterilized and vaccinated and then released back into their territory. Each cat colony will be registered by the caretakers with Animal Care or its designee. Caretakers of feral cat colonies shall obtain a cat colony permit and implement proper management and sterilization practices as required by the Department. Any person or caretaker determined to be in violation of proper management and sterilization practices required by the Department shall be issued a written warning and be allowed up to 90 days to come into compliance, or provide satisfactory evidence of working to achieve compliance. *Cat colonies with eight (8) or fewer cats are not required to be registered as a cat colony.* Animal Care Services has the right to immediately seize and remove all, or parts of any colony for the following reasons: Public health and public safety concerns including rabies, other epizootic and certain zoonoses identified by the Department of Health; or the animals are creating a public nuisance as defined in Section 5-150 of Chapter 5.

Permit/License Revocation.

All permits issued by the City of San Antonio and Animal Care Services may be revoked by the Director, or his authorized representative, for violations of city or state law by the holder. Revocation of the permit is accomplished by mailing to the holder of such permit a written notice by certified mail stating his permit is revoked. Revocation of the permit may also be accomplished by personally delivering to the holder thereof a written notice stating his permit is revoked.

Non-livestock Animal Waste; Sanitation Standards.

Animal owners shall collect and dispose of animal waste in methods prescribed by the Animal Code to prevent odor and attraction of pests. Summary abatement may be directed by the Animal Care Services department and/or the director of code compliance.

A pet owner or keeper shall not walk his/her dogs without a leash restraint, and shall not guide or take animals onto the yards or driveways of property not owned, leased or occupied by the animal owner for the purpose of allowing the animal to defecate, but shall keep his/her animal in the public right-of-way, and shall carry a container and scooper for the sanitary removal of his/her animal's fecal matter from the public right-of-way adjacent to any property with a structure or other improvement thereon.